



November 1, 1999

Ms. Ellen M. Salyers
Assistant District Attorney
Comal County
150 N. Seguin, Suite 307
New Braunfels, Texas 78130-5161

OR99-3060

Dear Ms. Salyers:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130110.

The Canyon Lake Fire/EMS, Inc., (the "corporation") received a request for thirteen categories of information. You indicate that you have released all of the responsive information with the exception of employee social security numbers. You claim that the social security numbers are excepted from disclosure under section 552.117 of the Government Code. We have considered the exception you claim and have reviewed the submitted information.

Section 552.117 excepts from disclosure the home addresses, telephone numbers, and social security numbers of current or former officials or employees of a governmental body who request that this information be kept confidential under section 552.024. The corporation may not, however, withhold this information for a current or former official or employee who made a request for confidentiality under section 552.024 after the request for this information was made. Whether a particular piece of information is public must be determined at the time the request for it is made. Open Records Decision No. 530 at 5 (1989). You have asserted that all of the employees listed on the payroll report submitted to this office have elected to keep their social security numbers confidential. If such an election was made prior to the date on which the corporation received the request for information, the corporation must withhold the social security numbers on behalf of each employee who made a timely election.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Carla Gay Dickson".

Carla Gay Dickson
Assistant Attorney General
Open Records Division

CGD/nc

Ref: ID# 130110

Encl. Submitted documents

cc: Mr. Wayne D. Justiss
1496 Canyon Lake Drive
Canyon Lake, Texas 78133-3604
(w/o enclosures)